

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claim 1 remains in this application as amended herein. Claims 2-33 are cancelled, and claims 34-35 are added. Accordingly, claims 1 and 34-35 are submitted for Examiner's reconsideration.

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph, as allegedly failing to set forth that which applicants regard as the invention of the present divisional application. Claim 1 has been amended to correct the informality. It is therefore submitted that claim 1 is in full compliance with the requirements of 35 U.S.C. § 112, second paragraph.

Claim 1 was rejected under 35 U.S.C. § 101. The claim has been amended to more clearly show that it covers statutory subject matter in which the claimed invention produces a useful, concrete and tangible result. It is therefore submitted that claim 1 is in full compliance with the requirements of 35 U.S.C. § 101.

The Examiner also rejected claim 1 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 4/1 and 3/1 of Maeda (U.S. Patent No. 6,580,679) in view of Matsumoto (U.S. Patent No. 6,462,263) and all further considered with Sakai (U.S. Patent No. 4,905,185).

Claim 1 calls for:

second management information using first and second special codes for managing associations between a plurality of content program groups and the plurality of content programs whereby a given one of the plurality of content program groups is associated with specific ones of the plurality of content programs and with a particular one of a plurality of group names, the first special code partitioning program numbers corresponding to the content programs

associated with a respective one of the plurality of content program groups and the group name associated with that group, and the second special code partitioning adjacent ones of the plurality of content program groups, at least a portion of the second management information being changeable so that the associations between the plurality of content programs and the plurality of content program groups may be edited. (Emphasis added.)

None of the cited sections of the references relied-on by the Examiner discloses or suggests a first special code that partitions program numbers and a group name, and none of these cited sections of the references discloses or suggests a second special code that partitions adjacent ones of a plurality of content program groups.

The Examiner acknowledges that the partitioning ability provided by the claimed separating information is not found in the Maeda patent but contends that Matsumoto teaches such partitioning. However, the sections of Matsumoto that the Examiner relies on merely show a table for recording management information in which a delimiter is used to separate a music name and a singer name of a track and to separate a singer name and comments for that track. (See Fig. 1; and col.2 l.48 to col.3 l.2.) Though Matsumoto's table shows the track number associated with a music name, the cited sections of Matsumoto neither disclose nor suggest using a delimiter to partition the track number and the music name. Moreover, though the table also shows multiple track numbers, the relied-on sections of Matsumoto neither disclose nor suggest using a delimiter to partition the information regarding adjacent ones of the tracks in the table. Therefore, the relied-on sections of Matsumoto neither disclose nor suggest the limitations of claim 1 that are set out above. Moreover, the cited sections of Sakai do not remedy these deficiencies.

The Examiner also rejected claim 1 under

35 U.S.C. § 103(a) as being obvious over JP 10-336579 in view of Matsumoto. Applicants submit that the claim is patentably distinguishable over the cited art.

The Examiner again relies on the cited sections of Matsumoto as teaching the partitioning set out in claim 1. The relied-on sections of Matsumoto, however, do not disclose or suggest the claimed features for the reasons described above. Also, the cited sections of JP 10-336579 do not remedy these deficiencies as acknowledged by the Examiner.

It follows that claim 1 is patentably distinct and unobvious over the cited references.

Accordingly, Applicants respectfully request the withdrawal of the rejections under obviousness-type double patenting and under 35 U.S.C. §§ 101, 103 and 112, second paragraph.

New claims 34-35 depend from claim 1 and are distinguishable over the cited references for at least the same reasons. Support for new claims 34 and 35 is found, e.g., on pages 25 and 38-41 of the specification.

Moreover, regarding claim 35, none of the relied-on sections of the references discloses or suggests the partitioning carried out by a third special code at least for the reasons set out above regarding claim 1.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.


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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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